CONSTITUTION

OF

RUBY I.R.A. COUNCIL

PREAMBLE

WE, a group of residents of Ruby, Alaska, having common bonds of residence and association, in order to establish unity among our succeeding generations, to reaffirm our faith in fundamental Indian rights, and to promote social, economic and political progress among our Indian people, do hereby associate ourselves to establish the Ruby I.R.A. Council, and adopt the following Constitution and Bylaws.

ARTICLE ONE

NAME

The name of this organization shall be the "Ruby I.R.A. Council".

ARTICLE TWO

DURATION

The period of duration of this organization shall be perpetual.

ARTICLE THREE

MEMBERSHIP

Section 1. Qualifications for Membership. Any person shall be a member of this organization provided he or she meets all of the following qualifications:

(a) a member shall be of the age of eighteen (18) years or more; and

(b) a member shall be of at least one quarter (1/4) Native American descent; and

(c) a member shall have maintained a permanent residence within the land claims area selected by the village corporation of Ruby under the Alaska Native Claims Settlement Act (P.L. 92-203, as amended 43 U.S.C. 1601 et seq., for a period of at least six (6) months;

(d) a member must be recognized and accepted by the governing body before he or she can be considered a member in accordance with such rules as the governing body may adopt.

Section 2. Voting Rights. Each member shall be entitled to one (1) vote on each matter submitted to a vote of the members.

ARTICLE FOUR

GOVERNING BODY

Section 1. Name. The governing body of this organization shall be called the Ruby I.R.A. Council.

Section 2. Composition. The governing body of this organization shall consist of five (5) members of the organization who shall be elected by majority vote at a meeting of the membership. The qualifications, tenure in office, time and place of meetings, and the methods of electing the governing body shall be as set out in the bylaws of this organization.

Section 3. Officers. The officers of this governing body shall be a President, Vice President, Secretary/Treasurer and two (2) Council Members who shall perform such duties as are set out in the bylaws of this organization

ARTICLE FIVE

POWERS AND PURPOSES

Section 1. Powers. This organization shall have all of the powers of an organized Indian tribe as are presently recognized and as may

be provided in the future Act of Congress, by the Secretary of the Interior or by any other duly authorized officers of the government of the United States, including the power to:

(a) exercise all powers which it has had in the past as the governing body of an Indian tribe which are not unlawful;

(b) negotiate with and receive and allocate funds from any federal, state, local or private organization for the common good of its members;

(c) deal with the federal and state governments and their agencies, and deal with any person, firm corporation or municipality on behalf of the community of Ruby;

(d) acquire and hold, and sell, lease or otherwise dispose of any real or personal property for the common good of the community of Ruby.

Section 2. Purposes. The purposes for which this organization is established are as follows:

(a) to promote the physical, economic and social well-being of the Native people of Ruby; and

(b) to preserve and promote pride in the cultural heritage, traditions, customs, folklore and art of the Native American people and the people of Ruby; and

(c) to promote the establishment and operation of governmental and tribal organizations within the community of Ruby which effectively represent the best interests of the people of the community of Ruby.

(d) to promote the establishment and operation of regional, state and national organizations which effectively represent the interests of the people of the community of Ruby and of the Native American people.

ARTICLE SIX

AMENDMENTS

Amendments to this constitution may be proposed by a majority vote of the governing body or by any member at a membership meeting,

and shall become effective when ratified by the qualified voters of the community in the same manner as was this constitution.

ARTICLE SEVEN

ADOPTION

This constitution shall be in effect when it is ratified by a majority of the qualified voters of the community voting at an election called for that purpose, provided, at least thirty (30) percent of those entitled to vote shall vote.

BY LAWS

OF THE

RUBY I.R.A. COUNCIL

ARTICLE ONE

MEETINGS OF MEMBERS

Section 1. Regular Meetings. A regular meeting of the members shall be held at least once a year for the purpose of electing the council of this organization and transacting such other business as may come before the meeting, including a report by the council of its actions and accomplishments for the past year and plans for the coming year. If the election of the council is not held in the day(s) designated by notice for the regular meeting, or at any adjournment thereof, the village council shall cause the election to be held at a special meeting of the members as soon thereafter as is convenient. The place of meeting, unless otherwise specifically noted, shall be at the Native Council Building, Ruby, Alaska.

Section 2. Special Meetings. Special meetings of the members may be called by the president or the majority of the council. The place of meeting, unless specifically noted, shall be at the Native Council Building, Ruby, Alaska.

Section 3. Notice of Meetings. Oral and written or printed notice stating the place, day, and hour of any meeting of members shall be given, either personally and/or by posting, to each member entitled to vote at such meeting at the direction of the president or the majority of the council members. In case of a special meeting or when required by these bylaws, the purpose or purposes for which the meeting is called shall be stated in the notice.

Section 4. Informal Action by Members. Any action required by law to be taken at a meeting of the members, or any action that may be taken at the meeting of the members, may be taken without a meeting if a consent in writing setting forth the action so taken, is signed by ten (10) members entitled to vote with respect to the matter thereof.

Section 5. Quorum. Ten (10) members shall constitute a quorum at such a meeting. If a quorum is not present at any meeting of members, a majority of the members present may adjourn the meeting from time to time without further notice being given.

ARTICLE TWO

VILLAGE COUNCIL

Section 1. General Powers. The affairs of the organization shall be managed by the council, which shall have the power to make such rules and regulations and pass such resolutions as are necessary to conduct the business of this organization.

Section 2. Number, Tenure, and Qualifications. The council shall be made up of three (3) officers and two (2) council members totaling five (5) members. Council members shall be elected from the members once a year at a regular meeting of the members, and the term of office shall be either one (1) or two (2) years, whereby, the officers shall serve two (2) years and the council members shall serve one (1) year. A special meeting of the council shall convene no later than two (2) hours after the adjournment of any regular meeting of the members during which an election has taken place for the purpose of electing from among themselves, the officers of the council by majority vote of the council members.

Section 3. Regular Meetings. Regular meetings of the council shall be held no less than monthly. Notice of regular meetings shall be given by posting the place, day and hour of the meeting at least one (1) week before the meeting.

Section 4. Special Meetings. Special meetings of the council may be called by or at the request of the president or a majority of the council members and shall be at the Native Council Building, Ruby, Alaska, or at such other place as the president or the council may determine. Notice of a special meeting of the council members shall be in oral form to be given at no less than two (2) hours prior to such meeting.

Section 5. Quorum. A majority of the council members shall constitute a quorum for the transaction of business at any meeting of the council; but, if less than a majority of the council members are present at any meeting, a majority of the council members present may adjourn the meeting from time to time without further notice being given.

Section 6. Council Decisions. The act of the majority of the council members present at a meeting at which a quorum is present shall be the act of the council.

Section 7. Removal. Any council member may be removed from the council

by a majority vote of the council, whenever, in its judgement, the best interest of the organization would be served. Removal from the council may result when a council member misses three (3) consecutive meetings without sound and just reason.

ARTICLE THREE
OFFICERS

Section 1. Officers. The officers of the organization shall be a President, Vice President, a Secretary/Treasurer, and such other officers as may be elected in accordance with the provisions of these bylaws. The council may elect or appoint such other officers, including one or more assistant secretaries and one or more assistant treasurers, as it shall deem desirable, such officers to have the authority and to perform the duties as are prescribed by the council. No two offices will be held by the same council member. The officers must be members of the organization.

Section 2. Election and Term of Office. The officers of the organization shall be elected by the council during a special meeting as provided for in Article Two of these bylaws.

Section 3. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification, or otherwise, may be filled by the council in a regular meeting for the unexpired portion of the term after a notice of vacancy in written or printed form has been posted for the benefit of the members. The amount of time that the notice of vacancy shall be posted will be determined by the council.

Section 4. President. The President shall preside at all meetings of the council and members and shall have general supervisory authority over the affairs of this organization. The President may sign, with the Secretary/Treasurer or any other proper officer of the organization authorized by the council, any deeds, mortgages, bonds, contracts or other instruments which the council has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the council or by these bylaws or by statute to some other officer or agent of the organization.

Section 5. Vice President. In the absence of the President, or in the event of his or her inability or refusal to act, the Vice President shall perform the duties of the president, and when so acting, shall have all

the powers of and be subject to all the restrictions as are on the President.

Section 6. Secretary/Treasurer. The principal duties of the Secretary/Treasurer will be to countersign all deeds, leases, and conveyances executed by the organization, to keep a record of the proceedings of the council, to safely and systematically keep all books, papers, records, and documents belonging to the organization, to keep an account of all monies, credits and property of any and every nature of the organization, to keep an accurate account of all monies received and disbursed and proper vouchers for monies disbursed, and to render such accounts, statements, and inventories of monies received and disbursed.

ARTICLE FOUR
COMMITTEES

Section 1. Committees of the Council. The council, by resolution adopted by a majority of the council members, may designate one or more committees composed of either members or council members which, to the extent provided in such a resolution, shall have and exercise the authority of the council in the management of the organization; but the designation of such committees and the delegation thereto of authority shall not operate to relieve the council, or any individual council member, of any responsibility imposed on it, or him or her, by law.

ARTICLE FIVE
WAIVER OF NOTICE

Whenever any notice is required to be given under the provisions of the constitution or bylaws of the organization, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE SIX
AMENDMENTS

Amendments to these bylaws may be proposed by a majority vote of the council or by any member at a membership meeting and shall become

effective when ratified by a majority vote of the members; provided at least thirty (30) percent of those entitled to vote shall vote in such an election.

ARTICLE SEVEN

ADOPTION

These bylaws shall be in effect when they are ratified by a majority of the qualified voters of the community voting in an election called for that purpose; provided, at least thirty (30) percent of those entitled to vote shall vote.

NATIVE VILLAGE COUNCIL
RESOLUTION NO. 80-3

WHEREAS, we, the council of Ruby village, constitute the duly elected traditional tribal governing body for the Native village of Ruby ; and

WHEREAS, it is the desire of the Ruby Native people to improve and strengthen their village government and pursue economic independence;

BE IT RESOLVED, that the Ruby Native Council hereby requests the Secretary of the Interior to call for an election for adoption of a Constitution, Charter and Bylaws as authorized under Sections 16 and 17 of the Indian Reorganization Act of June 18, 1934, as amended for Alaska, May 1, 1936, and regulations promulgated thereunder.

Adopted this 2nd day of July, 1980.

Donald V. Honea Sr.

Patrick M. McCarty

Gilbert Cleaver Sr.

Arnold Captain Sr.

ATTEST: _____

MW/9936d